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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARIE CHELLINO,

Plaintiff,

v.

KAISER FOUNDATION HEALTH
PLAN, INC., AND DOES 1-10,

Defendant.

CASE NO. C 07-03019 CRB

**DECLARATION OF RICHARD COLLINS
IN SUPPORT OF DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT**

I, Richard Collins, declare:

1. The matters stated herein are true of my personal knowledge. If called upon to do so, I could and would testify thereto. I make this declaration in support of the motion for summary judgment of defendants Kaiser Foundation Health Plan, Inc. ("KFHP") and Kaiser Permanente Welfare Benefit Plan ("Plan").

2. I am an employee of Aetna Life Insurance Company ("Aetna"). My current position is Senior Disability Analyst, a job which I have held since approximately 2004. In general my job duties include claim adjudication.

3. More specifically, my job duties require me to be familiar with the Aetna group long term disability ("LTD") policy that funded certain LTD benefits provided by the Plan effective June 30, 1999, as a successor to New York Life Insurance Company, which previously

1 had funded under its policy No. G-12250, which Aetna assumed. As such, I am aware that
2 KFHP is the Plan Administrator of the Plan, and that Aetna became the claim administrator for
3 those benefits that are funded by the Aetna group LTD policy, effective June 30, 1999.

4 4. I am a custodian of records for the administrative record regarding the claim of
5 Marie Chellino for benefits under the Plan. As such, I am able to verify that the administrative
6 record was compiled and maintained in the ordinary course of Aetna's business as part of its
7 function as the claim administrator for the Plan with regard to those Plan benefits funded by the
8 Aetna policy. The claim of Marie Chellino fell under the Aetna policy, because the Plan benefits
9 that were paid to her were funded by the New York Life Insurance Company policy before Aetna
10 succeeded to that business.

11 5. Exhibit A to this declaration is the complete administrative record for the claim of
12 Marie Chellino, consecutively numbered as "ADMIN 1-1585" including seven computer disks
13 that contain video information obtained through surveillance of Ms. Chellino.

14 I declare under penalty of perjury under the laws of the United States that the foregoing is
15 true and correct, and that this declaration was executed at February 22, 2008

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